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Remarks

Thorough examination by the Examiner is noted and appreciated.

The claims have been amended to further clarify Applicants disclosed and claimed invention and new claims added. No new matter has been entered.

Support for the amendments is found in the Figures (Figure 5A) and in the previously presented claims and Specification at e.g.

Claim Rejections under 35 USC 102

1. Claims 1-2, 6, 9-10 and 12 stand rejected under 35 USC 102(b) as being anticipated by Park et al. (US 6,464,794).

In the prior art, Park et al. disclose in Figure 2 an edge ring (24) supported on a coupling ring (27) that is completely underneath the edge ring and is surrounded by a focus ring (28) that is co-planar with the coupling ring (col 2, lines 1-8). Among other aspects of Applicants invention, **Park et al do not**

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**disclose an inert ring supported on a shadow ring.**

Park et al. is clearly insufficient to anticipate Applicants disclosed and claimed invention.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

2. Claims 1-2, 6, 9-10 and 12 stand rejected under 35 USC 102(e) as being anticipated by Kanno et al. (USPUB 20030029572).

Kanno et al. disclose a focus ring (32; Figure 10) that is mounted on a dielectric film around the periphery of the staircase shaped wafer support (35) (see paragraph 0060). Among other aspects of Applicants invention, Kanno et al. **do not disclose an inert ring supported on a shadow ring.**

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Kanno et al. is clearly insufficient to anticipate Applicants disclosed and claimed invention.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

3. Claims 1-2, 6, 9-10 and 12 stand rejected under 35 USC 102(a) as being anticipated by Ma et al. (USPUB 200300106646).

Ma et al. disclose an insert ring (304) supported on an electrode portion of and electrostatic chuck (ESC) (294) (paragraphs 0047-0050). Among other aspects of Applicants invention, Ma et al. **do not disclose an inert ring supported on a shadow ring.**

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Ma et al. is clearly insufficient to anticipate Applicants disclosed and claimed invention.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

4. Claims 1-2, 6, 9-10 and 12 stand rejected under 35 USC 102(b) as being anticipated by Nagaiwa et al. (USPUB 20020029745).

Nagaiwa et al. disclose a focus ring (12; Figure 2) that is supported on a heat transfer medium (15) which is supported on a subsurface (11B) of an electrostatic chuck (8) (paragraph 0044; 0055). Nagaiwa et al. also disclose that there is substantially no gap formed between the wafer support (ESC) (paragraph 0086; Figure 7). Nagaiwa et al. disclose a clamping member (16) (press mechanism) surrounding the focus ring (12) to press the focus ring down on the ESC sub surface (11B) (see paragraph 0046).

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Among other aspects of Applicants invention, Nagaiwa et al. **do not disclose an inert ring supported on a shadow ring.**

Thus, Nagaiwa et al. is clearly insufficient to anticipate Applicants disclosed and claimed invention.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

**Claim Rejections under 35 USC 103(a)**

5. Claims 3-5, 7-8 and 11 stand rejected under 35 USC 103(a) as being unpatentable over Park et al. above.

Applicants reiterate the comments made above with respect to Park et al.

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The fact that Park et al. discuss the thickness of a **focus ring** (320; Figure 10) supported on an electrostatic chuck (310) (as opposed to an inert or edge ring) and where the inner surface of the focus ring and the electrostatic chuck **contact one another** (col 7, lines 66 - col 8, line 30), and where the upper surface of the focus ring is co-planar with a wafer supported thereon, does not further help Examiner in producing or suggesting Applicants disclosed and claimed invention.

"Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure." *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

### Conclusion

The cited references, alone or in combination, do not produce or suggest Applicants disclosed and claimed invention, and therefore are insufficient to make out a *prima facie* case of anticipation or obviousness.

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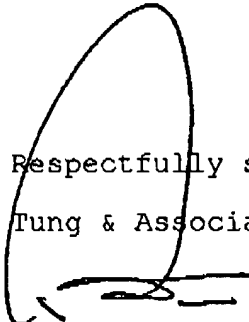
The Claims have been amended and new claims added to further clarify Applicants disclosed invention and to further define over the cited prior art. A favorable reconsideration of Applicants' claims is respectfully requested.

Based on the foregoing, Applicants respectfully submit that the Claims are now in condition for allowance. Such favorable action by the Examiner at an early date is respectfully solicited.

In the event that the present invention as claimed is not in condition for allowance for any reason, the Examiner is respectfully invited to call the Applicants' representative at his Bloomfield Hills, Michigan office at (248) 540-4040 such that necessary action may be taken to place the application in a condition for allowance.

Respectfully submitted,

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